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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/574,443	05/19/2000	Bassil I. Dahiyat	A-68064-1/RFT/RMS/RMK	8666

7590 09/25/2002

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EXAMINER

SAUD, CHRISTINE J

ART UNIT PAPER NUMBER

1647

DATE MAILED: 09/25/2002

15

Please find below and/or attached an Office communication concerning this application or proceeding.

File A-68064-1 Atty RFT/RMS/RMK
Due Date 10/25/2002
Type 1 Month OA Refs —



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09/574,443

EXAMINER

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ART UNIT	PAPER NUMBER
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15

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

The reply filed on 24 June 2002 is not fully responsive because of the following omission(s) or matter(s): the clean copy of claims as amended is not clean. Claim 1 contains underlining, which precludes the entry of the amendment. 37 CFR 1.121 (c)(1)(i) states that a "rewritten or newly added claim must be in clean form, that is, without markings to indicate the changes that have been made". Since the "clean" copy of claim 1 is the same as the "marked-up" copy of claim 1, it is not clear what changes are being made. See also MPEP 714.20 which indicates that amendments should not be entered in part except under certain circumstances. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Christine J. Saoud, Ph.D., whose telephone number is (703) 305-7519. The Examiner can normally be reached on Monday to Thursday from 8AM to 3PM. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Gary Kunz, can be reached on (703) 308-4623.

Certain papers related to this application may be submitted to Technology Center 1600 by facsimile transmission. Papers should be faxed to Technology Center 1600 via the PTO Fax Center located in Crystal Mall 1 (CM1). The faxing of such papers must conform with the notices published in the Official Gazette, 1156 OG 61 (November 16, 1993) and 1157 OG 94 (December 28, 1993) (see 37 C.F.R. §§ 1.6(d) and 1.8). NOTE: If Applicant *does* submit a paper by fax, the original signed copy should be retained by Applicant or Applicant's representative. NO DUPLICATE COPIES SHOULD BE SUBMITTED so as to avoid the processing of duplicate papers.

Official papers filed by fax should be directed to (703) 872-9306. If this number is out of service, please call the Group receptionist for an alternate number. Official papers filed After Final rejection filed by fax should be directed to (703) 872-9307.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

CHRISTINE J. SAOUD
PRIMARY EXAMINER

Christine J. Saoud

GP/1646
#16/C
DmT
10-12-02

In re application of:

Examiner: SAOUD, C.

DAHIYAT et al.

Group Art Unit: 1646

Serial No. 09/574,443

CERTIFICATE OF MAILING

Filed: May 19, 2000

I hereby certify that this correspondence, along with enlisted enclosures is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Box Non-Fee Amendment, Commissioner of Patents, Washington, DC 20231 on:

October 1, 2002

For: NOVEL PROTEINS WITH
INSULIN-LIKE ACTIVITY
USEFUL IN THE TREATMENT
OF DIABETES

Signed:

Mary McFarland

Box Non-Fee Amendment
Commissioner of Patents
Washington, DC 20231

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RESPONSE TO COMMUNICATION FROM EXAMINER

Sir:

This paper is being submitted in response to the Communication from the Examiner mailed September 25, 2002. The response is filed on or before the due date of October 25, 2002, making this a timely response. The Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required, or credit any overpayment to Deposit Account No. 50-2310 (Our Order No. A-68064-1/463077-77/RFT/RMS/RMK).

The Office communication states that the responsive is not fully responsive because a clean copy of amended claim 1 was not provided, preventing the amendment from being entered.

In the Claims:

Please amend the following claim:

- C1
1. (Amended) A non-naturally occurring insulin activity (IA) protein comprising an amino acid sequence which comprises substitution of at least one amino acid residue when compared to an amino acid sequence of a naturally occurring human insulin and wherein said IA protein has an altered property when compared to the same property of human insulin and binds to a cell comprising an insulin receptor.